

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
ROZA GANTMAN,

Plaintiff,
-against-

DOCKET NO.

PROFESSIONAL CLAIMS BUREAU, INC.,
Defendant.
-----X

CV 15

2360

NOTICE OF REMOVAL OF ACTION

GLASER, J.

TO: THE CLERK OF THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

REYES, M.J.

PLEASE TAKE NOTICE that pursuant to 28 U.S.C. Section 1441, et seq. defendant PROFESSIONAL CLAIMS BUREAU, INC. (hereinafter referred to as "PCB"), hereby removes this civil action from the Civil Court of the City of New York, County of Queens, to the United States District Court for the Eastern District of New York.

I. PROCEEDINGS TO DATE

On or about March 31, 2015, plaintiff, ROZA GANTMAN, filed a summons and complaint dated March 25, 2015 in the civil action captioned ROZA GANTMAN against PROFESSIONAL CLAIMS BUREAU, INC., Index No. 09295/15, in the Civil Court of the City of New York, County of Queens. Defendant has been served with the complaint on April 1, 2015. The complaint alleges a violation of the Fair Debt Collection Practices Act, and plaintiff seeks statutory and actual damages as well as attorney fees and other relief.

Copies of all pleadings and other papers plaintiff previously filed with the Civil Court are annexed hereto as Exhibit "A", as required by 28 U.S.C. Section 1446.

II. GROUND FOR REMOVAL

The Court has original jurisdiction over this action because this action arises under a Law of the United States. See 28 U.S.C. Section 1331. This action arises under the Fair Debt Collection Practices Act, 15 U.S.C. Section 1692 et seq. (See Exhibit "A") Accordingly, according to 28 U.S.C. Section 1331, this Court has original jurisdiction over this case.

III. VENUE

Plaintiff's action is pending in Civil Court of the City of New York, County of Queens, which is within this judicial district and division. 28 U.S.C. Section 112(c). The United States District Court for the Eastern District of New York is the District Court and Division within which CCB may remove this action, pursuant to 28 U.S.C. Section 1441(a) and within which defendant must file this Notice of Removal, pursuant to 28 U.S.C. Section 1446(a).

IV. TIMELINESS

This Notice of Removal is timely filed. Defendant was served with a copy of the summons and complaint on April 1,

2015. This notice of Removal complies with 28 U.S.C. Section 1446(b).

V. NOTICE

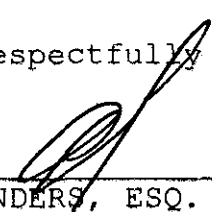
Pursuant to 28 U.S.C. Section 1446(b), defendant, PROFESSIONAL CLAIMS BUREAU, INC., is simultaneously filing a copy of this Notice of Removal with the Civil Court of the City of New York, County of Queens. Plaintiff's counsel is also being served with a copy of this Notice of Removal.

VI. CONCLUSION

For the foregoing reasons, PROFESSIONAL CLAIMS BUREAU, INC. respectfully requests that this action, previously pending in the Civil Court of the City of New York, County of Queens be removed to this Court, and that this Court proceed as if this case had been originally initiated in this Court.

Dated: New City, NY
April 20, 2015

Respectfully submitted,



ARTHUR SANDERS, ESQ. (AS-1210)
BARRON & NEWBURGER, P.C.
Attorneys for defendant
30 South Main Street
New City, NY 10956
845-499-2990

EXHIBIT A

**CIVIL COURT OF THE CITY OF NEW YORK
COUNTY OF QUEENS****ROZA GANTMAN****Plaintiff,****-against-****PROFESSIONAL CLAIMS BUREAU, INC.****Defendant.****08295**

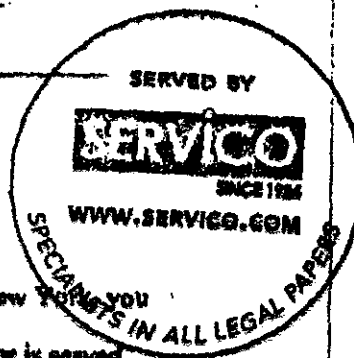
Index No: [REDACTED]

SUMMONS**Plaintiff's Residence Address:**
6704 11th Street
Flushing, NY 11375**The basis of the venue designated
is: Plaintiff's residence.****To the above named defendant:**

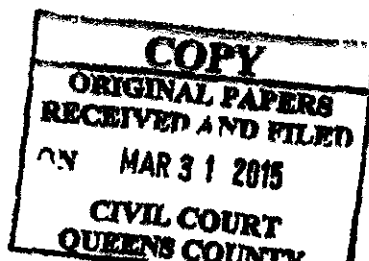
YOU ARE HEREBY SUMMONED to appear in the Civil Court of the City of New York, County of Queens at the office of the Clerk of the said Court at 89-17 Sutphin Boulevard, in the County of Queens, City and State of New York, within the time provided by law as noted below and to file your answer to the annexed complaint with the Clerk; upon your failure to answer, judgment will be taken against you for the sum of \$1,000 together with the costs of this action and attorney fees to the extent permitted by law.

**Dated: Queens, New York
March 25, 2015**

RC Law Group, PLLC
By: Matthew Sarlos, Esq.
7118 Main Street, Suite 2
Flushing, New York 11367
tel: 718.705.8700 ext. 224

**NOTE: The law provides that:**

- (a) if this summons is served by its delivery to you personally within the City of New York, you must appear and answer within **TWENTY** days after such service; or
- (b) if this summons is served by delivery to any person other than you personally, or is served outside the City of New York, or by publication, or by any means other than personal delivery to you within the City of New York, you are allowed **THIRTY** days after the proof of service thereof is filed with the Clerk of



CIVIL COURT OF THE CITY OF NEW YORK
COUNTY OF QUEENS

ROZA GIANTMAN

Plaintiff,

Index No: _____

COMPLAINT

-against-

PROFESSIONAL CLAIMS BUREAU, INC.

Defendant.

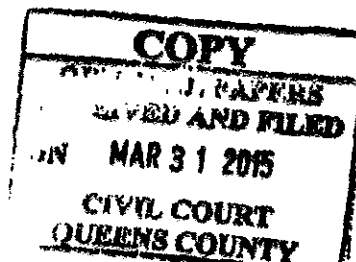
Plaintiff Roza Giantman ("Plaintiff"), by and through his attorneys, RC Law Group, PLLC, sues and for his Complaint against Defendant Professional Claims Bureau, Inc. ("Defendant"), respectfully sets forth, complains and alleges, upon information and belief, the following:

INTRODUCTION/PRELIMINARY STATEMENT

1. Plaintiff brings this action for damages and declaratory and injunctive relief arising from the Defendant's violation(s) of section 1692 et. seq. of Title 15 of the United States Code, commonly referred to as the Fair Debt Collections Practices Act ("FDCPA").

PARTIES

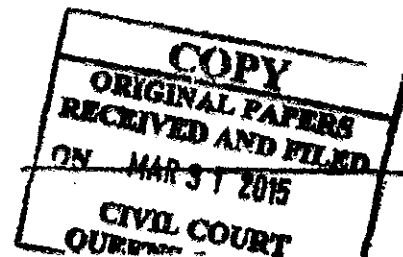
2. Plaintiff, a natural person, is a resident of the State of New York, County of Queens, residing at 6704 110th Street, Flushing, New York.
3. Defendant is a business corporation, organized and existing under the laws of the state of New York, with an address at 439 Oak Street, Clarendon City, New York.



4. Defendant is a "debt collector" as the phrase is defined in 15 U.S.C. § 1692(a)(6) and used in the FDCPA.

FACTUAL ALLEGATIONS

5. Plaintiff incorporates by reference all of the above paragraphs of this Complaint as though fully stated herein with the same force and effect as if the same were set forth at length herein.
6. On information and belief, on a date better known to Defendant, Defendant began collection activities on an alleged consumer debt (the "Alleged Debt") from the Plaintiff.
7. The Alleged Debt was incurred as a financial obligation that was primarily for personal, family or household purposes and is therefore a "debt" as that term is defined by 15 U.S.C. § 1692a(5).
8. On or around April 10, 2014, Defendant caused to be delivered to the Plaintiff a letter (the "Letter") addressed to the Plaintiff, seeking collection of the Alleged Debt.
9. The Letter is a "communication" as defined by 15 U.S.C. § 1692a(2).
10. The Letter was mailed in a window envelope (the "Envelope").
11. The window of the Envelope displayed Plaintiff's name and mailing address, and above Plaintiff's name, a series of characters, specifically, "0001470381."
12. The series of characters revealed through the window of the Envelope included personal and confidential information concerning Plaintiff, specifically, an identifying number that Defendant had assigned to its collection account for the Alleged Debt, "0001470381."
13. In permitting the Letter to be mailed to Plaintiff with the above-described characters visible through the window of the Envelope, Plaintiff was allowing language, numbers,



20. As a result of the Defendant's violations of the FDCPA, Plaintiff has been damaged and is entitled to damages in accordance with the FDCPA.

DEMAND FOR TRIAL BY JURY


21. Plaintiff demands and hereby respectfully requests a trial by jury for all claims and issues this complaint to which Plaintiff is or may be entitled to a jury trial.

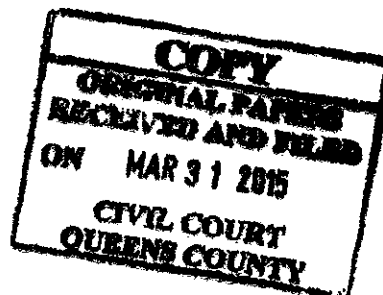
PRAYER FOR RELIEF

WHEREFORE, Plaintiff Rosa Gantman demands judgment from Defendant Professional Claims Bureau, Inc. as follows:

- a) For actual damages provided and pursuant to 15 U.S.C. § 1692k(a)(1);
- b) For statutory damages provided and pursuant to 15 U.S.C. § 1692k(a)(2)(A);
- c) For attorney fees and costs provided and pursuant to 15 U.S.C. § 1692k(a)(3);
- d) A declaration that the Defendant's practices violated the FDCPA; and
- e) For any such other and further relief, as well as further costs, expenses and disbursements of this action as this Court may deem just and proper.

Dated: Queens, New York
March 25, 2015


RC Law Group, PLLC
By: Matthew Series, Esq.
7118 Main Street, Suite 2
Flushing, New York 11367
tel: 718.705.8700 ext. 224



UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
ROZA GANTMAN,

Plaintiff,

-against-

**CERTIFICATE OF MAILING
DOCKET NO.**

PROFESSIONAL CLAIMS BUREAU, INC.,
Defendant.
-----X

I hereby certify under the penalty of perjury that on April
21, 2015, I caused to be served, by first class mail, the
within Notice of Removal of Action upon:

MATTHEW SARLES, ESQ.
RC LAW GROUP, PLLC
Attorney for plaintiff
7118 Main Street, Suite 2
Flushing, NY 11367



ARTHUR SANDERS, ESQ. (AS-1210)